

**PLANNING AND ZONING COMMISSION
STAFF REPORT**

October 20, 2016



Planning Variance case no. PV16-16: Julie Davis

CASE DESCRIPTION: a request for approval of variances from the minimum 150-foot lot width generally required of lots zoned Agricultural - Open District (A-O), to allow the creation of two new lots proposed to have lot widths of 109 feet and 98 feet, respectively

LOCATION: 8.4 acres of currently vacant, unsubdivided acreage in the John Austin League, A-2, located approximately 250 feet northwest of the intersection of Oak Forest Drive and Wood Oaks Drive, being Lots 2 and 3 in the proposed Rose Point Subdivision

EXISTING LAND USE: vacant acreage

APPLICANT(S): Julie Davis

AGENT: J4 Engineering, Glenn Jones, P.E.

STAFF CONTACT: Randy Haynes, AICP, Senior Planner

SUMMARY RECOMMENDATION: Staff recommends **approving** the requested variance.



AERIAL IMAGE (2015):



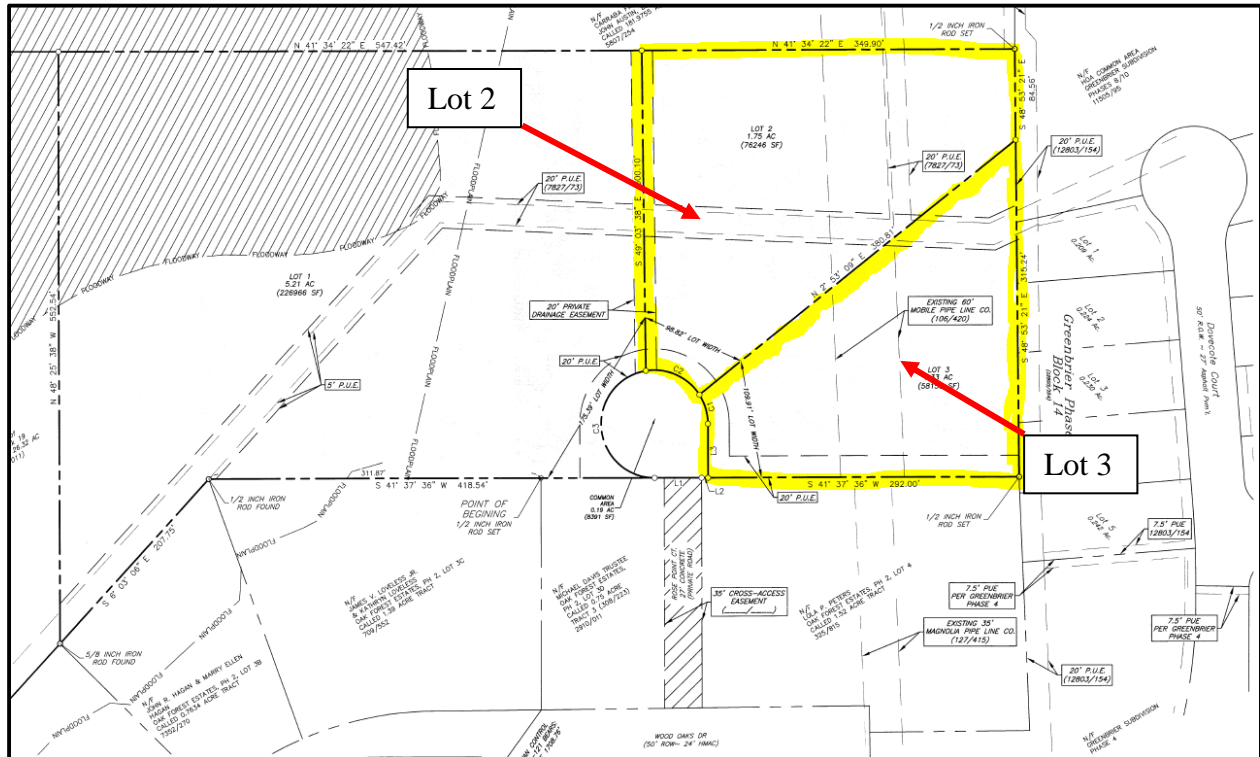
BACKGROUND:

The applicant, Julie Davis, is requesting a variance to Article IV, Section 62-161 of the Land and Site Development Ordinance (Bryan Code of Ordinances Chapter 62), which requires a minimum lot width of 150 feet for lots zoned Agricultural – Open District (A-O). The request is being made in order to allow for the proposed subdivision of approximately 8.488 acres of vacant land located approximately 250 feet northwest of the intersection of Oak Forest Drive and Wood Oaks Drive. If granted, the variance to the minimum lot width will allow the proposed subdivision of this acreage into 3 new lots, proposed to front a new cul-de-sac street.

Bryan's Subdivision Ordinance defines lot width as "the shortest distance between side lot lines measured at their intersection with the front setback line" (Section 110-4). Two of the three proposed lots in this new subdivision are planned to be less than the minimum required 150 feet in width. The table below provides the specific exception requested for each lot, while the graphic below provides a visual representation of the lots for which the variance has been requested.

Lot Number	Proposed Width	Exception Requested	Lot Size
Lot 2	98.82'	51.18'	1.75 Acres
Lot 3	109.91'	40.09'	1.33 Acres

Exerpt from Proposed Final Plat of Rose Point Subdivision



ANALYSIS:

The Planning and Zoning Commission may authorize a variance from minimum lot standards stipulated in the Land and Site Development Ordinance. No variance shall be granted unless the Planning and Zoning Commission finds that all of the following criteria are met:

1. That the granting of the variance will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the area (an area encompassing approximately a 200-foot radius);

The requested lot width variances are approximately 41 and 52 feet. Staff believes that, in this circumstance, their substandard lot width may be offset by the two new lots' proposed extraordinary lot depth (292+ feet) and overall size. Proposed Lot 2 is approximately 52 feet short of the 150-foot lot width requirement however, substantially exceeds the minimum required 1-acre lot size at 1.75 acres. Similarly, proposed Lot 3 is approximately 41 feet short of the requirement. That proposed lot also exceeds the minimum required 1-acre lot size at 1.33 acres.

Both proposed lots have proposed lot depths and sizes that each will provide ample room for development with new single-family homes. Staff believes that, therefore, granting the requested variance will not be detrimental to the public health, safety, or welfare, or injurious to other property in the area.

2. That the granting of the variance will not be detrimental to the public health, safety or welfare, or materially injurious to properties abutting the subject property;

Staff believes that the overall effect of reduced lot widths on proposed Lots 2 and 3 in this subdivision will be negligible, if at all noticeable, given the properties' extraordinary lot depth and size in excess of 1.3 acres. Granting the proposed request will still allow for development of single-family homes of similar size to those now located on adjacent properties in the Oak Forest Estates Subdivision. The extraordinary size of the proposed lots will allow for more open green spaces in the rear of the properties, creating a feeling of a larger back yard area.

3. That the hardships and difficulties imposed upon the owner/applicant are greater than the benefits to be derived by the general public through compliance with the requirements of this chapter.

The proposed lot configuration provides lots that are larger than properties in the adjacent Oak Forest Estates Subdivision and are in keeping with the development pattern in the general vicinity. Approval of the variance request will allow for the development of three single-family homes on substantially large lots. Denial of the request will not allow the proposed subdivision into three new lots, and may reduce the opportunity for residential subdivision to only two new lots.

RECOMMENDATION:

Based on all of these considerations, staff recommends **approving** the requested variance.